

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

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**FISCAL IMPACT STATEMENT**

**LS 6221**

**BILL NUMBER:** HB 1338

**NOTE PREPARED:** Nov 19, 2009

**BILL AMENDED:**

**SUBJECT:** Methamphetamine Production.

**FIRST AUTHOR:** Rep. Bell

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:** ☒ **GENERAL**  
☒ **DEDICATED**  
☐ **FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** The bill enhances the penalty for manufacturing methamphetamine to a Class A felony if: (1) the laboratory or chemicals used to manufacture the methamphetamine; or (2) waste from the manufacture of the methamphetamine; causes serious bodily injury or death to a person other than the defendant.

**Effective Date:** July 1, 2010.

**Explanation of State Expenditures:** State expenditures would increase if an offender is incarcerated in a state prison for a longer period of time. A Class B felony is punishable by a prison term ranging between 6 to 20 years, depending upon mitigating and aggravating circumstances. A Class A felony is punishable by a prison term ranging from 20 to 50 years. More offenders could mean increased costs to the Department of Correction (DOC). The average expenditure to house an adult offender was \$20,194 in FY 2009. (This does not include the cost of new construction.) If offenders can be housed in existing facilities with no additional staff, the incremental cost for medical care, food, and clothing is approximately \$4,818 annually, or \$13.20 daily, per prisoner. The estimated average cost of housing a juvenile in a state juvenile facility was \$75,050 in FY 2009. The average length of stay in DOC facilities for all Class A felony offenders is approximately 9.1 years.

**Background:** In a one-day snapshot of the state prison population on November 9, 2009, there were 425 offenders serving a sentence for dealing in methamphetamine, a Class B felony, and 59 offenders who received an enhanced penalty, Class A felony, under the circumstances currently in statute.

**Explanation of State Revenues:** No change would likely occur in state revenue as a result of this bill since criminal fines and court fees are the same for either Class B or A felonies.

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:** No additional revenues would be expected since the court fees for Class B and Class A felonies are both \$120.

**State Agencies Affected:** DOC.

**Local Agencies Affected:** Trial courts, local law enforcement agencies.

**Information Sources:** Indiana Sheriffs' Association, DOC.

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